

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, AUGUST 28, 2008**

Invocation: Major John Carter, Salvation Army

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, August 28, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:20 a.m.

Announcement of future agenda items from Council:

Council Members Morrison and Leffingwell will work with the citizens to develop a more pro-active program to address historic preservation issues.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

1. Approve the minutes of the Austin City Council August 21, 2008 Regular meeting.
The minutes from the meeting of August 21, 2008 were approved.
2. Approve issuance of a rebate in the amount of \$97,242.48 to Dell Children's Medical Center of Central Texas for the installation of high efficiency lighting and lighting controls, ERVs (Energy Recovery Ventilators) and a reflective roof coating at their site located at 4900 Mueller Boulevard, Austin, Texas. Funding in the amount of \$97,242.48 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Electric Utility Commission and the Resource Management Commission.
The motion for the issuance of a rebate to Dell Children's Medical Center of Central Texas was approved.
3. Approve issuance of a rebate in the amount of \$99,277.30 to Austin Independent School District for the installation of energy efficient equipment including high efficiency lighting and lighting controls, chillers, Variable Frequency Drives, CO2 Sensors and a reflective roof coating at Gus Garcia Middle School, 7414 Johnny Morris Road, Austin, Texas. Funding in the amount of \$99,277.30 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Electric Utility Commission and the Resource Management Commission.
The motion for the issuance of a rebate to Austin Independent School District was approved.

Item 4 was pulled for discussion.

5. Authorize an increase in the maximum per project rebate amount for the water conservation institutional, commercial and industrial rebate program from the current maximum of \$40,000 to \$100,000. Funding in the amount of \$2,868,728 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Recommended by the Water Wastewater Commission and the Resource Management Commission. Review by Water Conservation Implementation Task Force August 25, 2008. Recommended by the Water and Wastewater Commission and Water Conservation Implementation Task Force.
The motion authorizing an increase in the maximum per project rebate for the water conservation institutional, commercial and industrial rebate program was approved.
6. Approve the negotiation and execution of the fee simple acquisition of 0.272 acres of land, more or less, of land in the James P. Wallace Survey No. 18, City of Austin, Travis County, Texas, same being all of Lot 1-A, Resubdivision of Lot 1, Mrs. O.M. Roberts Estate, a subdivision according to the plat of record in Book 61, Page 14, Plat Records of Travis County, Texas, save and except that portion deeded to the City of Austin in Street Deed recorded in Volume 4653, Page 1631, Deed Records of Travis County, Texas, located at 9539 Burnet Road, from SIGMOR CORPORATION for the Rundberg Lane Improvements and Extension Project, in the amount not to exceed \$1,050,000. Funding is available in the Fiscal Year 2007-2008 Amended Capital Budget of the Public Works Department.
The motion for the negotiation and execution of the fee simple acquisition was approved.
7. Authorize the negotiation and execution of a Real Property Exchange Agreement between the City of Austin and the State of Texas for the use and benefit of the Permanent School Fund in connection with the Combined Transportation Emergency & Communications Center located at 5010 Old Manor Road.
This item was withdrawn.
8. Approve resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program: Govalle 1 - South 2nd Street Reroute and Area Improvements Project for a 808 square-foot permanent wastewater line easement out of Lot 5, Block B of the partition of the estate of James E. Bouldin, out of the Isaac Decker League in Travis County, Texas, in the amount of \$5,090. The owner of the needed property is Billie L. Passmore. The property is located at 803 Bouldin Avenue, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility.
Resolution No. 20080828-008 was approved.
9. Approve the negotiation and execution of Amendment No. 2 to the CEC Land Lease between City of Austin, Travis County, the Texas Department of Transportation and the Capital Metropolitan Authority for the Combined Transportation, Emergency Management and Communications Center to amend the property description of the leased land located at 5010 Old Manor, Austin TX.
This item was withdrawn.
10. Approve the negotiation and execution of a lease renewal and service agreement renewal with the Texas Department of State Health Services (TDSHS) with an initial 24 month term and five (5) one-year extension options for 3,460 square feet of office space for the Crisis Intervention Team of the Austin Police Department, in the Premises located in the AUSTIN STATE HOSPITAL complex at 4110 Guadalupe Street, Building 631, Austin, TX, in an amount not to exceed \$26,372 for the initial renewal term and \$13,186 per year for each successive option period for a total not to exceed amount of \$92,302 for the renewal term and extension options. Funding in the amount of \$13,186 is included in the Fiscal

Year 2008-2009 Proposed Operating Budget of the Austin Police Department. Funding for the remaining lease term period is contingent upon available funding in future budgets.

The motion for the negotiation and execution of a lease renewal and service agreement renewal with the Texas Department of State Health Services (TDSHS) was approved.

11. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE with MCC CONSTRUCTION CORP., Greenwood Village, Colorado, for indoor renovation work at the Parks and Recreation Department Annex in an amount not to exceed \$291,514. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Parks and Recreation Department. Cooperative Purchase thru the Texas Local Government Purchasing Cooperative. MCC Construction Corp. has been approved through the competitive bid procurement process outlined by Texas statute. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the execution of a contract through the Texas Local Government Purchasing Cooperative with MCC Construction Corp. was approved.

12. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE with INLINE ELECTRIC SOLUTIONS OF TX LLC, Flower Mound, Texas, for electrical work at the Parks and Recreation Department Annex building in an amount not to exceed \$136,550. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Parks and Recreation Department. Cooperative Purchase thru the Texas Local Government Purchasing Cooperative. Inline Electric Solutions of TX has been approved through the competitive bid procurement process outlined by Texas statute. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the execution of a contract through the Texas Local Government Purchasing Cooperative with Inline Electric Solutions of TX LLC was approved.

13. Authorize execution of a construction contract with DACA, LLC for the reservoir recoating and safety improvements in the amount of the total bid of \$2,727,378 plus a contingency of \$272,738 for an amount not to exceed \$3,000,116 is recommended for approval. Funding in the amount of \$3,000,116 is included in the Fiscal Year 2008-2009 Proposed Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 12.83% MBE and 13.69% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract with DACA, LLC was approved.

14. Authorize execution of a construction contract with AARON CONCRETE CONTRACTORS, L.P. (MBE/MH 70.44%), Austin, Texas for the bridge North Bluff Drive at Pleasant Hill Tributaries, in an amount not to exceed \$305,368. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.12% MBE and 15.54% WBE subcontractor participation.

The motion authorizing the execution of a construction contract with Aaron Concrete Contractors, L.P. was approved.

15. Authorize execution of a construction contract with ASD CONSULTING, INC. (MBE/MB 97.82%), Austin, TX for South Austin Community Care Clinic Minor Modifications in an amount not to exceed \$76,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Community Care Services Department. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 0.00% MBE and 2.18% WBE subcontractor participation.
The motion authorizing the execution of a construction contract with ASD Consulting, Inc. was approved.
16. Authorize negotiation and execution of change order #4 to the construction contract with TEXAS STERLING CONSTRUCTION CO., San Antonio, Texas for the Cesar Chavez Two Way Conversion Project from San Antonio to Brazos in the amount of \$200,000, for a total contract amount not to exceed \$7,155,243.58. Funding in the amount of \$200,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 12.75% DBE subcontractor participation to date including this change order.
The motion authorizing the negotiation and execution of change order #4 to the construction contract with Texas Sterling Construction Co. was approved.
17. Authorize negotiation and execution of an amendment to the professional services agreement with URBAN DESIGN GROUP (WBE/FW 63.55%), Austin, TX for engineering services for the East 7th Street Corridor Improvements Project in the amount of \$370,752 for a total contract authorization not to exceed \$1,101,738. Funding in the amount of \$24,000 is available in the Fiscal Year 2008 Amended Capital Budget of the Public Works Department. Funding in the amount of \$112,077 is available in the Fiscal Year 2007-2008 Capital Budget of the Neighborhood Planning and Zoning Department. Funding in the amount of \$234,675 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 14.48% MBE and 14.84% WBE subconsultant participation to date. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Urban Design Group was approved.
18. Authorize negotiation and execution of an amendment to a professional services agreement with ALAN PLUMMER ASSOCIATES, INC. to complete a water resources planning study, in an amount not to exceed \$150,000 for a total contract amount not to exceed \$692,445. Funding in the amount of \$150,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 16.9% MBE and 16.0% WBE sub-contractor participation to date. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an amendment to a professional services agreement with Alan Plummer Associates, Inc. was approved.
19. Authorize negotiation and execution of a professional services agreement with HARUTUNIAN ENGINEERING INC. (WBE/FW 60.70%), Austin, TX, to provide professional engineering services for Davis Water Treatment Plant Power Distribution Upgrade in an amount not to exceed \$5,000,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Best qualification statement of five statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement

Program) by meeting the goals with 16.50% MBE and 14.20% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of a professional services agreement with Harutunian Engineering Inc. was approved.

20. Approve a resolution adopting the City's preliminary tax increment reinvestment zone project and financing plan for the Seaholm Redevelopment Project area; and authorizing the City Manager to distribute to all other taxing jurisdictions the financing plan and the City's notice of intent to designate the Seaholm Tax Increment Financing Reinvestment Zone and to hold a public hearing on the creation of the zone; and authorizing the City Manager to take other steps as necessary to create the reinvestment zone. (The Seaholm Redevelopment Project area is located at the intersection of West 3rd Street and West Avenue.)

Resolution No. 20080828-020 was approved.

21. Approve execution of a 12-month Interlocal Agreement with Austin Community College (ACC) to provide classroom training to small business owners on basic accounting concepts and Quickbooks(c) accounting software, and individual coaching on Quickbooks(c), in an amount not to exceed \$30,350, with two 12-month extension options in an amount not to exceed \$30,350 per extension option, for a total contract amount not to exceed \$91,050. Funding in the amount of \$30,350 is available in the Fiscal Year 2007-2008 Operating Budget of the Economic Growth and Redevelopment Services Office. Funding for the extension options is contingent on the availability of funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the execution of an interlocal agreement with Austin Community College (ACC) was approved.

22. Approve execution of an Interlocal Agreement with the University of Texas at Austin, College of Communication, to provide a small business development needs assessment study in an amount not to exceed \$120,000. Funding in the amount of \$120,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Economic Growth and Redevelopment Services Office. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the execution of an interlocal agreement with the University of Texas at Austin, College of Communication was approved.

23. Consider and approve an amendment to the Austin City Council 2008 meeting schedule to cancel the regular meeting on October 9, 2008 and set a meeting on October 16, 2008.

The motion for an amendment to the Austin City Council 2008 meeting schedule was approved.

24. Approve a resolution authorizing the use of Lady Bird Lake for the annual Austin Triathlon open water race to be held on September 1, 2008. There is no unanticipated fiscal impact. A fiscal note is not required.

Resolution 20080828-024 was approved.

25. Authorize the negotiation and execution of a two-year Interlocal Agreement with Travis County in the amount of \$40,000 for one Assistant District Attorney position, which is to be devoted to handling

criminal matters in the Downtown Business District. Funding is contingent upon available funds in future budgets.

The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved.

26. Approve an ordinance amending Section 12-4-64(D) of the Code by establishing a school zone on Avery Ranch Boulevard to increase the safety of students attending Patsy Sommer Elementary School; and provide for emergency passage. Funding in the amount of \$15,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs and flashers.

Ordinance No. 20080828-026 was approved.

27. Authorize award and execution of a 24-month requirements supply contract with ALPHA READY MIX LLC, Austin, TX to provide structural concrete in an estimated amount not to exceed \$446,476, with three 12-month extension options in an estimated amount not to exceed \$223,238 per extension option, for an estimated total contract amount not to exceed \$1,116,190. Funding in the amount of \$22,325 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding in the amount of \$424,151 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Alpha Ready Mix LLC was approved.

28. Authorize award and execution of a 24-month requirements supply contract with AUSTIN CRUSHED STONE, Austin, TX for limestone rock for Austin Energy in an estimated amount not to exceed \$101,360, with three 12-month extension options in an estimated amount not to exceed \$50,680 per extension option, for an total estimated contract amount not to exceed \$253,400. Funding in the amount of \$5,068 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding in the amount of \$92,292 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the remaining 23 months of the original contract and extension options is contingent upon available funding in future budgets. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Austin Crushed Stone was approved.

29. Authorize award, negotiation, and execution of a 12-month requirements service contract with CIBER INCORPORATED, Austin, TX, for the purchase of application development and hosting of a business analysis program in an estimated amount not to exceed \$477,868, with four 12-month extension options for maintenance and support in an estimated amount not to exceed \$149,868 per extension option, for a total estimated contract amount not exceed \$1,077,340. Funding in the amount of \$477,868 is available in the fiscal Year 2007-2008 Operating Budget for Austin Energy. Funding for the remaining extension options is contingent upon available funding in future budgets. Sole proposal received. This purchase will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified: therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract with Ciber Incorporated was approved.

30. Authorize award and execution of a contract with CRAWFORD ELECTRIC SUPPLY COMPANY, Austin, TX for compact fluorescent bulbs in an amount not to exceed \$68,418.24. Funding in the amount of \$68,418.24 is available in the Fiscal Year 2007-2008 Special Revenue Fund for Austin Energy. Funding is provided by the Texas Commission on Environmental Quality. Lowest bid of 16 bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a contract with Crawford Electric Supply Company was approved.
31. Authorize award and execution of a 12-month requirements service contract with DEALER'S ELECTRICAL, Austin, TX for preventative and corrective maintenance of switchgear with related breakers and for the purchase of other various breakers in an estimated amount not to exceed \$84,325, with four 12-month extension options in an estimated amount not to exceed \$32,525 per extension option, for a total estimated contract amount not to exceed \$214,425. Funding in the amount of \$7,027 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in the future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements service contract with Dealer's Electrical was approved.
32. Authorize award, negotiation, and execution of Amendment No. 4 to the requirements supply and services contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for the purchase of additional implementation and consulting services by increasing the contract authorization in an estimated amount not to exceed \$250,000 for a revised total estimated contract amount not to exceed \$30,637,815. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Contract Amendment. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of amendment number 4 to the requirements supply and services contract with the State of Texas Department of Information Resources (DIR) was approved.
33. Authorize award, negotiation, and execution of a contract with LBL TECHNOLOGY PARTNERS, Minneapolis, MN for Business Continuity Planning consultation in an amount not to exceed \$99,045. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Best evaluated proposal of six proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of a contract with LBL Technology Partners was approved.
34. Authorize award and execution of a contract with PETRO-VALVE, INC., Houston, TX for the purchase of a main steam stop valve for Decker Creek Power Station Unit 1 boiler in an amount not to exceed \$262,060. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Lowest bid meeting specifications of three bids received. This contract will be awarded in compliance with

Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Petro-Valve, Inc. was approved.

35. Authorize award and execution of a 24-month requirements supply contract with SHADES OF GREEN, Austin, TX (WBE) for large shade trees in an estimated amount not to exceed \$289,810, with three 12-month extension options in an estimated amount not to exceed \$144,905 per extension option, for a total estimated contract amount not to exceed \$724,525. Funding in the amount of \$12,075 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specification of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Shades of Green was approved.

36. Authorize award and execution of a contract with SQUARE D COMPANY, Houston, TX for plant battery systems for Decker Creek Power Station in an amount not to exceed \$169,835. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Lowest bid meeting specifications of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Square D Company was approved.

37. Authorize award, negotiation, and execution of a 12-month requirements service contract with TRAYLOR MULTIMEDIA, INC. (dba 360KID), Newton, MA, for the purchase of application development, hosting, and annual maintenance and support of Austin Energy's Public Participation Process in an estimated amount not to exceed \$331,390, with one 12-month extension option in an estimated amount not to exceed \$9,550, for a total estimated contract amount not exceed \$340,940. Funding in the amount of \$27,616 is available in the fiscal Year 2007-2008 Operating Budget for Austin Energy. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole proposal received. This purchase will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract with Traylor Multimedia, Inc. doing business as 360KID was approved.

38. Authorize award and execution of six 24-month requirements supply contracts for underground electrical supplies with: Techline Inc, Austin, TX, in an estimated amount not to exceed \$606,292, with two 12-month extension options in an estimated amount not to exceed \$303,146, per extension option, for a total estimated contract amount not to exceed \$1,212,584; KBS Electrical Distributors, Inc., Austin, TX, in an estimated amount not to exceed \$427,520, with two 12-month extension options in an estimated amount not to exceed \$213,760, per extension option, for a total estimated contract amount not to exceed \$855,040; Power Supply, Inc., Austin, TX, in an estimated amount not to exceed \$133,242, with two 12-month extension options in an estimated amount not to exceed \$66,621, per extension option, for a total estimated contract amount not to exceed \$266,484; Stuart C. Irby Co., Austin, TX, in an estimated

amount not to exceed \$74,346, with two 12-month extension options in an estimated amount not to exceed \$37,173, per extension option, for a total estimated contract amount not to exceed \$148,692; Priester-Mell & Nicholson Inc. Austin, TX, in an estimated amount not to exceed \$31,680, with two 12-month extension options in an estimated amount not to exceed \$15,840, per extension option, for a total estimated contract amount not to exceed \$63,360; and with HD Supply, San Antonio, TX, in an estimated amount not to exceed \$30,514, with two 12-month extension options in an estimated amount not to exceed \$15,257 per extension option, for a total estimated amount not to exceed \$61,028. Funding in the amount of \$54,316 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids meeting specification of seven bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of six requirements supply contracts with Techline Inc., KBS Electrical Distributors, Inc., Power Supply, Inc., Stuart C. Irby Co., Priester-Mell & Nicholson Inc. and HD Supply was approved.

39. Authorize award and execution of a 24-month requirements supply contract with ACT PIPE AND SUPPLY, Pflugerville, TX for the purchase of water meter lids and boxes for the Austin Water Utility in an estimated amount not to exceed \$357,986, with two 12-month extension options in an estimated amount not to exceed \$223,742 per extension option, for a total estimated contract amount not to exceed \$805,470. Funding in the amount of \$14,917 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a requirements supply contract with Act Pipe and Supply was approved.

40. Authorize award and execution of a 24-month requirements supply contract with AIRGAS SPECIALTY PRODUCTS, Duluth, GA, for the purchase of anhydrous ammonia for the Austin Water Utility in an estimated amount not to exceed \$675,000, with two 12-month extension options in an estimated amount not to exceed \$421,875 per extension option, for a total estimated contract amount not to exceed \$1,518,750. Funding in the amount of \$28,125 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a requirements supply contract with Airgas Specialty Products was approved.

41. Authorize award and execution of a 12-month requirements supply contract with JAE CONSTRUCTION, INC., Austin, TX for the purchase of sandy loam and topsoil for the Austin Water Utility in an estimated amount not to exceed \$65,580, with three 12-month extension options in an estimated amount not to exceed \$75,417 per extension option, for a total estimated contract amount not to exceed \$291,831. Funding in the amount of \$5,465 is available in the Fiscal Year 2007-2008 Operating Budget of the

Austin Water Utility. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting Opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a requirements supply contract with JAE Construction, Inc. was approved.**

42. Authorize award and execution of a 24-month requirements service contract with SOUTHWASTE DISPOSAL LLC, Pflugerville, TX, for sludge and sewage pumping, hauling, and disposal services for the Austin Water Utility in an estimated amount not to exceed \$186,768, with two 12-month extension options in an estimated amount not to exceed \$116,730 per extension option, for a total estimated contract amount not to exceed \$420,228. Funding in the amount of \$7,782 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a requirements service contract with Southwaste Disposal LLC was approved.**
43. Authorize award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Trane Building Services, Austin, TX, for the purchase and installation of two replacement air handler units at the North Service Center Building for the Austin Water Utility in an amount not to exceed \$99,963.65. Funding in the amount of \$99,963.65 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established. Recommended by the Water and Wastewater Commission. **The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Trane Building Services was approved.**
44. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with KEY ENTERPRISES, Round Rock, TX for the purchase of portable bleachers with folding chairs for the Austin Convention Center in an amount not to exceed \$238,608. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established. **The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Key Enterprises was approved.**
45. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with ROCKFORD BUSINESS INTERIORS, Austin, TX for the purchase of sustainable office and lounge furniture for the Austin Convention Center Department in the amount of \$257,995.75. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority - Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative

Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established.

The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Rockford Business Interiors was approved.

46. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS), SIEMENS BUILDING TECHNOLOGIES, INC., Austin, TX, for the purchase and installation of the Siemens WINPM system software upgrade of the electronic metering system for the Austin Convention Center Department in an amount not to exceed \$199,582. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center Department. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established.

The motion authorizing award and execution of a contract through the Texas Multiple Award Schedule (TXMAS), with Siemens Building Technologies, Inc. was approved.

47. Authorize award, negotiation, and execution of a 12-month requirements service contract with COMPASSCOM, INC., Centennial, CO, for the purchase of software and services for an upgrade to the City's Auto Vehicle Locator (AVL) in an estimated amount not to exceed \$200,000, with four 12-month extension options in an estimated amount not to exceed \$100,000 per extension option, for a total estimated contract amount not to exceed \$600,000. Funding in the amount of \$200,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Financial and Administrative Services Department, Communications and Technology Management, Wireless Division. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract with Compasscom, Inc. was approved.

48. Authorize award, negotiation, and execution of a 48-month requirements supply and service contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, Redlands, CA, for the purchase of software, consulting services, and software maintenance and support in an estimated amount not to exceed \$2,975,000. Funding in the amount of \$725,000 is available in the Fiscal Year 2008-2009 Proposed Operating Budget of the Financial and Administrative Services Department, Communications and Technology Management. Funding for the remaining 36 months of the original contract period is contingent upon available funding in future budgets. Sole source. This contract will be awarded in compliance with Chapters 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements supply and service contract with Environmental Systems Research Institute was approved.

49. Authorize award and execution of a contract through the Texas Multiple Awards Schedule (TXMAS) with OM WORKSPACE, Austin TX, for modular work stations in an estimated amount not to exceed \$483,580. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority - Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established.

The motion authorizing the award and execution of a contract through the Texas Multiple Awards Schedule (TXMAS) with OM Workspace was approved.

50. Authorize award and execution of Amendment No. 8 to a requirements service contract with TRITECH SOFTWARE SYSTEMS, San Diego, CA, for additional software licenses, maintenance, and services in an estimated amount not to exceed \$118,218, for a revised total estimated contract amount not to exceed \$10,862,370.61. Funding in the amount of \$89,368 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Combined Transportation, Emergency and Communications Center. Funding in the amount of \$28,850 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Police Department. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

The motion authorizing the award and execution of amendment number 8 to a requirements service contract with Trittech Software Systems was approved.

51. Authorize execution of a 36-month requirements supply contract with AMERICAN DIVERSITY BUSINESS SOLUTIONS, Spicewood, TX for the production of City-wide forms in an estimated amount not to exceed \$385,915, with three 12-month extension options in an estimated amount not to exceed \$128,638 per extension option, for a total estimated contract amount not to exceed \$771,829. Funding in the amount of \$10,720 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Materials Management Division. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a requirements supply contract with American Diversity Business Solutions was approved.

52. Authorize award and execution of a 36-month requirements supply contract with FIRE PUMP SPECIALTY, West, TX, for repair parts for fire truck pumps in an estimated amount not to exceed \$472,875, with three 12-month extension options in estimated amounts not to exceed \$173,644 for the first extension option, \$182,326 for the second extension option, and \$191,442 for the third extension option, for a total estimated contract amount not to exceed \$1,020,287. Funding in the amount of \$13,136 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Fire Pump Specialty was approved.

53. Authorize award and execution of a 36-month requirements supply contract with OPUSKANE VEHICLE SUPPORT SOLUTIONS, San Antonio, TX for the purchase of captive repair parts for Detroit and Mercedes diesel engines in an estimated amount not to exceed \$472,875, with three 12-month extension options in an estimated amount not to exceed \$173,644 for the first extension option, \$182,326 for the second extension option, and \$191,442 for the third extension option, for a total estimated contract amount not to exceed \$1,020,287. Funding in the amount of \$13,136 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for

the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Opuskane Vehicle Support Solutions was approved.

54. Authorize award and execution of a contract with LONE STAR BMW TRIUMPH, Austin, TX for the purchase of three replacement police motorcycles in an amount not to exceed \$71,589. Funding is available in the Fiscal Year 2007-2008 Vehicle Acquisition Fund of the Financial and Administrative Services Department. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. **The motion authorizing the award and execution of a contract with Lone Star BMW Triumph was approved.**
55. Authorize award and execution of a 36-month requirements supply contract with SOUTH POINT CHRYSLER DODGE, Austin, TX, for the purchase of captive repair parts for Dodge medium and heavy duty trucks in an estimated amount not to exceed \$315,250, with three 12-month extension options in estimated amounts not to exceed \$115,763 for the first extension option, \$121,551 for the second extension option, and \$127,628 for the third extension option, for a total estimated contract amount not to exceed \$680,192. Funding in the amount of \$8,757 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements supply contract with South Point Chrysler Dodge was approved.**
56. Authorize award and execution of a contract through the Texas Multiple Awards Schedule (TXMAS) with ALPHA DATA CORPORATION, Fort Walton Beach, FL, for the purchase and installation of library circulation and self-checkout systems in an estimated amount not to exceed \$287,740.75. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Library Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. **The motion authorizing the award and execution of a contract through the Texas Multiple Awards Schedule (TXMAS) with Alpha Data Corporation was approved.**
57. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with CARRIER CORPORATION, Charlotte, NC, for the purchase and installation of a replacement heating, ventilation, and air conditioning system for the Parks and Recreation Department in an amount not to exceed \$125,200. Funding in the amount of \$110,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Parks and Recreation Department. Funding in the amount of \$15,200 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Communications & Technology Management. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority

-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Carrier Corporation was approved.

58. Authorize execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with KRAFTSMAN PLAYGROUND & PARK EQUIPMENT, Spring, TX, for the purchase and installation of two spray parks and upgrade of a swimming pool backwash system in an amount not to exceed \$650,964.53. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Parks and Recreation Department. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the execution of a contract through the Texas Local Government Purchasing Cooperative (Buyboard) with Kraftsman Playground & Park Equipment was approved.

59. Authorize award and execution of Amendment No. 8 to a requirements service contract with VERSATERM, INC., Ottawa, Ontario, Canada, for additional software licenses, maintenance, and services for the Record Management System (RMS) in an estimated amount not to exceed \$74,350, for a revised total estimated contract amount not to exceed \$4,370,796. Funding in the amount of \$54,300 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Police Department. Funding in the amount of \$20,050 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Combined Transportation, Emergency and Communications Center. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of amendment number 8 to a requirements service contract with Versaterm, Inc. was approved.

60. Authorize award and execution of a 36-month requirements supply contract with COMPUTEC TRAFFIC SYSTEMS, League, TX for the purchase of Type 170 332 Traffic Signal Cabinets in an estimated amount not to exceed \$1,585,008, with three 12-month extension options in estimated amounts not to exceed \$811,992 for the first extension option, \$1,014,990 for the second extension option, and \$1,268,737 for the third extension option, for a total estimated contract amount not to exceed \$4,680,727. Funding in the amount of \$34,645 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Computec Traffic Systems was approved.

61. Authorize award and execution of a 36-month requirements supply contract with VULCAN CONSTRUCTION MATERIALS LP, San Antonio, Texas, for stormwater pipe bedding materials for the Watershed Protection and Development Review Department in an estimated amount not to exceed \$326,463, with three 12-month extension options in estimated amounts not to exceed \$150,435 for the first extension option, \$173,000 for the second extension option, and \$198,950 for the third extension

option, for a total estimated contract amount not to exceed \$848,848. Funding in the amount of \$9,069 is available in the Fiscal Year 2007-2008 Operating Budget of the Watershed Protection and Development Review Department. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Vulcan Construction Materials LP was approved.

62. Authorize award and execution of a 24-month requirements supply contract with ENNIS PAINTS, INC., Ennis, TX, for the purchase of traffic paint in an estimated amount not to exceed \$337,962, with two 12-month extension options in an estimated amount not to exceed \$168,981 per extension option, for a total estimated contract amount not to exceed \$675,924. Funding in the amount of \$8,373 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department. Funding in the amount of \$5,708 is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest responsive bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Commission.

The motion authorizing the award and execution of a requirements supply contract with Ennis Paints, Inc. was approved.

Item 63 was pulled for discussion.

64. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Nominated By:

Austin Community Education Consortium

Bruce Barrick

Mayor Wynn

Austin Music Commission

Rich Garza

Brad Stein

Council Member Martinez

Council Member Shade

Mexican American Cultural Center Advisory Board

Maria E. Ramirez

Council Member Cole

Item 65 was pulled for discussion.

66. Approve a resolution directing the City Manager to allocate \$100,000 from the Holly Neighborhood Grants Assistance Program, and \$3,533 from the Holly Good Neighbor Program "Cultural Arts" funds for various community outreach programs. (Council Member Mike Martinez Council Member Lee Leffingwell Council Member Cole)

Resolution No. 20080828-066 was approved.

67. Approve a resolution directing the City Manager to evaluate the feasibility of parking for motorcycles and motor scooters in the Central Business District, a permitting system for motorcycles and motor scooters, rebates for electric scooters and bicycles, and creating buffer zones at traffic signals for two-wheeled vehicles. (Council Member Mike Martinez Council Member Randi Shade Council Member Morrison)
Resolution No. 20080828-067 was approved. Direction was given to staff to research policies that make it more friendly and safe and develop suggestions on how we could educate the constituents who are being more environmentally conscious by using scooters, bicycles and motorcycles. Further, staff was directed to evaluate safety improvements and parking improvements for scooters in some other areas of town such as the drag and South Congress where there is heavy pedestrian activity.
68. Approve a resolution directing the City Manager to prepare an ordinance amending Ordinance No. 031204-33 concerning development regulations applicable to an approximately 325 acre portion of the Northtown Municipal Utility District to extend the date for final platting of this property together with any other desirable clarifications. (Council Member Sheryl Cole Mayor Pro Tem Brewster McCracken)
Resolution No. 20080828-068 was approved.
69. Approve waiver of certain Park rental fees under City Code Chapter 8 for the Silicon Labs Marathon Relay to be held on September 21, 2008. (Mayor Will Wynn Council Member Mike Martinez)
The motion for the waiver of certain park rental fees was approved.
70. Approve waiver of fees and requirements under Chapter 14-8 of the City Code, and authorize payment of certain costs for the Fiesta de Independencia Foundation's 2008 Fiesta de Independencia Celebration to be held at the Mexican American Cultural Center and Republic Square Park on September 15, 2008. (Council Member Mike Martinez Council Member Lee Leffingwell Council Member Laura Morrison)
The motion for the waiver of fees and requirements and authorizing payment of certain costs for the Fiesta de Independencia Foundation's 2008 Fiesta de Independencia Celebration was approved.
71. Authorize payment of certain police overtime costs for the 1st annual Back to School Parade to be held on Sunday, August 24, 2008. (Council Member Sheryl Cole Council Member Mike Martinez Council Member Lee Leffingwell)
The motion authorizing the payment of certain police overtime costs for the 1st annual Back to School Parade was approved.
72. Set a public hearing to consider an amendment to Chapter 25-2 of the City Code to create a North Burnet/Gateway (NBG) zoning district, repeal previous interim regulations, and amend Subchapter E: Design Standards & Mixed Use to exempt the NBG zoning district. (Suggested date and time: October 16, 2008, 4:00 p.m. at Austin City Hall, 301 W. Second Street)
The public hearing was set for October 16, 2008 at 4:00 p.m., Austin City Hall at 301 W. Second Street.
73. Set public hearings for the full purpose annexation of the following annexation areas: (1) Anderson Mill Road & U.S. 183 Annexation Area (Approximately 74 acres in Williamson County northwest of the intersection of Anderson Mill Road and US 183); (2) Sandy Loam Trail Annexation Area (Approximately 1.9 acres in Travis County north of Anderson Mill Road along Sandy Loam Trail); (3) RM 620 Commercial Annexation Area (Approximately 48 acres in Williamson and Travis Counties south of Anderson Mill Road on both east and west sides of RM 620); (4) Anderson Mill Road & RM 620 Right-of-way (ROW) Annexation Area (Approximately 35 acres in Williamson and Travis Counties west of the intersection of Anderson Mill Road and U.S. 183 and north of the intersection of Anderson Mill Road and

RM 620); (5) Las Cimas Annexation Area (Approximately 83 acres in Travis County southwest of the intersection of Loop 360 and FM 2244); (6) TSM Ventures Annexation Area (Approximately 23 acres in eastern Travis County southwest of the intersection of Parmer Lane and State Highway 130); and (7) Bunny Run Annexation Area (Approximately 6 acres in Travis County south of the intersection of Bunny Run and Live Oak Drive). (Suggested dates and times: September 25, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street; and October 2, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearings were set for September 25 and October 2, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street

74. Set public hearings for the full purpose annexation of the following annexation areas: (1) ABIA Outparcel Annexation Area (Approximately 2.7 acres in southeastern Travis County at the west of General Aviation Avenue approximately 1,500 feet north of Burleson Road); (2) Burleson Road ROW (Approximately 14 acres in southeastern Travis County west of the intersection of Burleson Road and FM 973); (3) Ashbrook Annexation Area (Approximately 39 acres in Travis County southwest of the intersection of FM 1626 and South First Street); (4) SBC Annexation Area (Approximately 1 acres in Travis County south of FM 1626 approximately 500 feet west of the intersection of FM 1626 and South First Street); (5) Dalton Lane Commercial Annexation Area (Approximately 61 acres in Travis County east of the intersection of Dalton Lane and Sherman Road); (6) Hollow at Slaughter Creek Annexation Area (Approximately 42 acres in Travis County south of Slaughter Lane approximately 270 feet west of the intersection of Bilbrook Place and Genoa Drive); (7) Shady Hollow Gardens (Approximately 39 acres in Travis County south of Frate Barker Road approximately 160 feet east of the intersection of Frate Barker Road and Brodie Lane); (8) Bridges of Bear Creek Phase 1 Section 2 (Approximately 15 acres in Travis County at the southeast corner of the intersection of Frate Barker Road and Brodie Lane). (Suggested dates and times: October 16, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street; and October 23, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearings were set for October 16 and 23, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas.

75. Set public hearings for the limited purpose annexation of the McCarty Tract annexation area (Approximately 14 acres in Williamson and Travis Counties east of FM 1325 approximately 960 feet north of the intersection of FM 1325 and Shoreline Drive). (Suggested dates and times: September 25, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street; and October 2, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearings were set for September 25 and October 2, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas.

76. Set public hearings to consider comments on issues related to the full purpose annexation of the Springwoods Non-MUD annexation area (approximately 348 acres located in Williamson County between Pond Springs Road and Parmer Lane on the north and south sides of Anderson Mill Road). Full purpose annexation is anticipated in December 2010 in accordance with the City's Municipal Annexation Plan. (Suggested dates and times: October 20, 2008, 6:30 p.m., at Northwest Fellowship, 13427 Pond Springs Rd, Austin, Texas; and October 23, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearings were set for October 20, 2008 at 6:30 p.m., Northwest Fellowship at 13427 Pond Springs Road, Austin, Texas and October 23, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas.

77. Set a public hearing to consider a resolution regarding the use of approximately .01723 acres in fee simple, approximately 3.877 acres for electric transmission lines use, approximately 1.7917 acres for access use and 0.9798 acres for temporary construction use for the construction of the LCRA TSC electric transmission line known as the Friendship to Manchaca Transmission line through Austin Water Utility's

Water Quality Protection Lands located along the proposed State Hwy. 45 south, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: September 25, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street). All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Environmental Board and briefed to the Water & Wastewater Commission.

The public hearing was set for September 25, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street.

Items 78 through 80 were Executive Session items.

Items 81 and 83 were bond sale items set for 2:00 p.m.

Items 84 through 108 were zoning items set for 4:00 p.m.

Items 109 through 113 were public hearing items set for 6:00 p.m.

Item 114 was an addendum item for Executive Session

DISCUSSION ITEM

4. Authorize execution of a 20-year power purchase agreement with NACOGDOCHES POWER, LLC c/o BAYCORP HOLDINGS, LTD, Portsmouth, NH, for the purchase of 100 megawatts (MW) of biomass-generated power in an estimated amount of \$115,000,000 per year for a total estimated contract amount not to exceed \$2,300,000,000. Funding will be provided through the Electric Fuel Charge revenue or future Green Choice Charge revenue. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified. Recommended by the Electric Utility Commission and the Resource Management Commission.

The motion authorizing the execution of a power purchase agreement with Nacogdoches Power, LLC in care of Baycorp Holdings, Ltd was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 7-0 vote.

CITIZEN COMMUNICATION: GENERAL

Carol Torgrimson -- Land Development Issues

Jim Arnold -- Criminal Activity at ACL (past year)

Travis Hough -- Public Safety

William Schneider -- It has become a problem living in Austin

Tom Egan -- The International Day of Peace on September 21st- Requesting City Council Issue a proclamation in support of that day

Gus Pena -- 1. Discuss City Budget 2. Discuss City Issues 3. Crime is on the increase 4. Increase funding for social service agencies 5. Please advocate for veterans, healthcare, jobs, housing, and job training 6. Don't forget hire the Vet

Nailah Sankofa -- The state of African artist in Austin.

Terry Overton -- The Utility Costumer Service and their payment plan and their extensions. City dog ordinance. **He was not present when his name was called.**

Chioma Okoro -- Lack of good communication between the City of Austin and citizens.

Paul Robbins -- City Issues.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:49 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced that Council would discuss item number 65 on the regular agenda during Executive Session.

78. Discuss legal issues related to negotiation and execution of the renewal of a municipal franchise for Pedemales Electric Cooperative, Inc. (Private Consultation with Attorney - Section 551.071). Related to Item #63.
79. Discuss legal issues concerning Eugene Darryl Snelling, et al. v. City of Austin, et al., A-07-CA-995-LY; filed in U.S. District Court, Western District, Austin Division. (Private Consultation with Attorney - Section 551.071).
80. Discuss legal issues concerning Cause No. A-07-CA-944LY; Ethel Washington, Individually and as heir to the Estate of Kevin Brown, and as Next Friend of A.P.B., and Freddie Brown, Individually and as heir to the Estate of Kevin Brown v. Michael Olsen in his individual capacity and The City of Austin; U.S. District Court; Western District; Austin Division. (Private Consultation with Attorney - Section 551.071).
114. Discuss matters concerning Austin Energy, wholesale power, fuel and generation resource plans (Public Power Utility Competitive Matter - Section 551.086). Related to Item #4.
This item was withdrawn.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:45 p.m.

DISCUSSION ITEMS CONTINUED

63. Approve first reading of an ordinance granting a renewal of a franchise agreement to Pedernales Electric Cooperative ("PEC") to provide electric utility services within its certificated area. Estimated annual franchise revenue in the amount of \$879,000 is anticipated under this franchise agreement. Related to Item #78.
The first reading of the ordinance was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.
65. Approve an ordinance amending Chapter 2-2 of the City Code relating to contributions and expenditures in city elections, providing for criminal penalties. (Council Member Mike Martinez Council Member Lee Leffingwell Council Member Shade)

The first and second reading of the ordinance was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 2:55 p.m. due to a fire alarm.

Mayor Wynn called the Council Meeting back to order at 3:05 p.m.

BONDS

81. Approve an ordinance authorizing the issuance of \$10,700,000 City of Austin, Texas, Certificates of Obligation, Series 2008, and all related documents. \$893,500 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the Fiscal Year 2008-2009 Proposed Operating Budget of the General Obligation Debt Service Fund.

Ordinance No. 20080828-081 in the amount of \$10,700,000 was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.

82. Approve an ordinance authorizing the issuance of \$26,715,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 2008, and all related documents. \$2,241,925 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed contractual obligation sale is included in the Fiscal Year 2008-2009 Proposed Operating Budget of the General Obligation Debt Service Fund.

Ordinance No. 20080828-082 in the amount of \$26,715,000 was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.

83. Approve an ordinance authorizing the issuance of \$76,045,000 City of Austin, Texas, Public Improvement Bonds, Series 2008, and all related documents. \$15,182,475 in the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the Fiscal Year 2008-2009 Proposed Operating Budget of the General Obligation Debt Service Fund.

Ordinance No. 20080828-083 in the amount of \$76,045,000 was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:13 p.m. See separate minutes.

Mayor Wynn recessed the Austin Housing Finance Corporation Meeting at 3:50 p.m.

Mayor Wynn called the Council Meeting back to order at 4:05 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.

84. C14-2008-0029 - Plaza Saltillo Station Area Plan - Approve second/third readings of an ordinance adopting the Plaza Saltillo Station Area Plan and TOD base district zoning for all properties within the boundaries of the Plaza Saltillo Station Area, generally bounded by E. 7th Street and the E. 7th Street alley on the north; the east side of Chicon Street on the east; E. 3rd Street, the alley between E. 3rd and

4th Streets, and E. 4th Street on the south; and the northbound frontage road of IH-35 on the west. First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

85. NPA-2008-0009.01 - Central East Austin Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Central East Austin Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

86. NPA-2008-0010.01 - Holly Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the Holly Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

87. NPA-2008-0002.01 - East Cesar Chavez Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 990513-70, the East Cesar Chavez Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Plaza Saltillo Station Area Plan and change the land use designation on the future land use map for all properties within the East Cesar Chavez Neighborhood Planning Area that overlap the Plaza Saltillo Station Area to transit Oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: city of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

88. C14-2008-0031 - MLK Jr. Blvd. Station Area Plan - Approve second/third readings of an ordinance adopting the MLK Jr. Blvd. Station Area Plan and transit oriented development (TOD) district zoning for all properties within the boundaries of the MLK Jr. Blvd. Station Area, generally bounded by Boggy Creek on the north and east; the Northwest and Austin Railroad on the east; East 12th Street on the south; and Ulit Avenue, Miriam Avenue, Alexander Avenue, and Randolph Road on the west, including select properties at the intersections of MLK Jr. Blvd. with Airport Blvd. and Manor Rd. with Airport Blvd. First reading approved on April 24, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

89. NPA-2008-0003.01 - Chestnut Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 990715-113, the Chestnut Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Chestnut Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

90. NPA-2008-0008.01 - Rosewood Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 011129-67, the Rosewood Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Rosewood Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to October 23, 2008 at the staff's request.
91. NPA-2008-0012.01 - Upper Boggy Creek Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the Upper Boggy Creek Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). First reading approved on April 10, 2008. Vote: 7-0. Applicant: City of Austin, Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to October 23, 2008 at the staff's request.
92. NPA-2008-0015.01 - East MLK Combined Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use map for all properties within the MLK Neighborhood Planning Area that overlap the MLK Jr. Blvd. Station Area to transit oriented development (TOD). Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to October 23, 2008 at the staff's request.
93. C14-2008-0030 - Lamar Blvd./Justin Lane Station Area Plan - Approve second/third readings of an ordinance adopting the Lamar Blvd./Justin Lane Station Area Plan and TOD base district zoning for all properties within the boundaries of the Lamar Blvd./Justin Lane Station Area, generally bounded by Morrow Street on the north; Guadalupe Street, Burns Street and the back property line of properties along Lamar Blvd. on the east; Denson Drive and just north of Romeria Drive on the south; and Wild Street, the Northwest and Austin Railroad, and Ryan Drive on the west. First reading approved on April 24, 2008. Vote: 7-0. Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to October 23, 2008 at the staff's request.
94. NPA-2008-0017.01 - Crestview/Wooten Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 040401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Lamar Blvd./Justin Lane Station Area Plan and change the land use designation on the future land use map for all properties within the Crestview/Wooten Combined Neighborhood Planning Area that overlap the Lamar Blvd./Justin Lane Station Area to Transit Oriented Development (TOD). First reading approved on April 24, 2008. Vote: 6-0 (McCracken off the dais). Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.
This item was postponed to October 23, 2008 at the staff's request.
95. NPA-2008-0018.01 - Brentwood/Highland Neighborhood Plan Amendment - Approve second/third readings of an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined

Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to include the Lamar Blvd./Justin Lane Station Area Plan and change the land use designation on the future land use map for all properties within the Brentwood/Highland Combined Neighborhood Planning Area that overlap the Lamar Blvd./Justin Lane Station Area to Transit Oriented Development (TOD). First reading approved on April 24, 2008. Vote: 6-0 (McCracken off the dais.) Applicant: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, 974-7694.

This item was postponed to October 23, 2008 at the staff's request.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

96. NPA-2008-0007.02 - Macmora Road - Conduct a public hearing and approve an ordinance amending Ordinance No. 000629-106, the North Austin Civic Association (NACA) Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change Planning Principle No. 7 of the text of the neighborhood plan as it relates to Macmora Road between Toperwein Drive and Golden Quail Drive. Staff Recommendation: To approve the proposed text language. Planning Commission Recommendation: To approve the proposed text language. Applicant: The North Austin Civic Association Neighborhood Plan Contact Team. City Staff: Paul DiGiuseppe, 974-2685.
Ordinance No. 20080828-096 adopting the proposed text language was approved.
97. C14-2008-0139 - Archive Lounge - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6406 N. IH-35 Serviceroad Southbound, Suite 1600 (Tannehill Branch Watershed) from general commercial services (CS) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Dunhill Property Management (William Hutchinson). Agent: A.E.C. Inc. (Phil Moncada). City Staff: Clark Patterson, 974-7691.
Ordinance No. 20080828-097 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved.
98. C14-2007-0231 - Rundberg Business Park 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 320 E. Rundberg Lane (Little Walnut Creek Watershed) from community commercial (GR) district zoning and multi-family residence-low density (MF-2) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: Rundberg Business Park (John Dineblid). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20080828-098 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.
100. C814-2008-0016 - Dell Jewish Community Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the City Code by rezoning property locally known as 7300 Hart Lane (Shoal Creek Watershed) from family residence (SF-3) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning with

conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Dell Jewish Community Center. Agent: Armbrust & Brown, L.L.P. (Richard Suttle, Amanda Morrow). City Staff: Jerry Rusthoven, 974-3207.

This item was postponed to September 25, 2008 on Council Member Shade's motion, Council Member Cole's second on a 7-0 vote.

99. C14-2007-0232 - Rundberg Business Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 320 E. Rundberg Lane (Little Walnut Creek Watershed) from multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 1; and multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 2 to general commercial services (CS) district zoning. Staff Recommendation: To grant warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1 with conditions, and general commercial services-conditional overlay (CS-CO) combining district zoning with conditions for Tract 2. Planning Commission Recommendation: To grant warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1 with conditions, and general commercial services-conditional overlay (CS-CO) combining district zoning with conditions for Tract 2. Applicant: Rundbrg Business Park (John Dimeblid). Agent: Thrower Design (Ron Thrower). City Staff: Jorge E. Rousselin, 974-2975.
The first reading of the ordinance for warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1 with conditions, and general commercial services-conditional overlay (CS-CO) combining district zoning with conditions for Tract 2 was approved. The following conditions will be included in a conditional overlay or a restrictive covenant: Additional prohibited uses for Tract 2 are adult oriented businesses and commercial blood plasma centers. There will be an additional condition that there will be no extension of East Longspur Boulevard or Brownie Drive into the subject property.
101. C14-2008-0025 - Circle Oaks Business Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3107, 3109 and 3111 West Slaughter Lane (Slaughter Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: James Gang Living Trust (Carol and Max James); Marsha and Robert Pittman. Agent: McClean & Howard, L.L.P. (Jeff Howard). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to September 25, 2008 at the staff's request.
103. C14H-2008-0019 - Blondie Pharr House. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 Highland Avenue (Shoal Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning; or in the alternative, to require HABS Level II documentation of the structure prior to demolition. Historic Landmark Commission recommendation: To grant multi-family residence-moderate-high density-historic landmark- neighborhood plan (MF-4-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-moderate-high density-historic

landmark-neighborhood plan (MF-4-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.

This item was postponed to September 25, 2008 at the owner's request.

104. C14-2008-0032 - North Shoal Creek Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the North Shoal Creek Neighborhood Planning Area, bounded by Research Boulevard Service Road southbound on the north; Burnet Road on the east; West Anderson Lane on the south; and North MoPac Expressway Northbound on the west (Little Walnut Creek watershed; Shoal Creek watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the North Shoal Creek Neighborhood Planning Area from the overlay district. First reading approved on June 18, 2008. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Gregory Montes, 974-2629.

Ordinance No. 20080828-104 for vertical mixed use building (V) district was approved.

ZONING DISCUSSION ITEMS

106. NP-2008-0025 - Oak Hill Combined Neighborhood Plan - Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Oak Hill Combined Neighborhood Plan, generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west. The watersheds are Williamson Creek, Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed.
The public hearing was closed and the first reading of the ordinance was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote. The ordinance will include approval of the Oak Hill combined neighborhood plan and the future land use map with the exception of tracts A-Z, AA-AH, AK, AL, AN-AP, AR, AS and part of lot 17A of the resubdivision of lots 16-19 Westoaks section 2 on the future land use Map. The public hearing was held open for the contested tracts related to the future land use map and postponed to October 23, 2008.
107. C14-2008-0125 - West Oak Hill Combined Neighborhood Planning Area Rezonings - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property bounded by Southwest Parkway to the north, West William Cannon Drive to the east, F.M. 1826, Davis Lane, Clairmont Drive, Abilene Trail, and Convict Hill Road to the south, and Thomas Springs Road, Circle Drive and West View Road to the west (6,155.03 acres). The proposed zoning change will create the West Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 70 tracts (555.69 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence

(MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and rezonings that implement the land use recommendations of the West Oak Hill Neighborhood Plan on 20 tracts of land (140.11 acres), with conditions. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the West Oak Hill Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Maureen Meredith, Neighborhood Planning & Zoning Department, 974-2695; Minal Bhakta, Neighborhood Planning & Zoning Department; 974-6453 and Gregory Montes, Neighborhood Planning & Zoning Department, 974-2629.

The public hearing was closed and the first reading of the ordinance was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote. The zonings and rezonings of the tracts are as recommended by staff and neighborhood planning contact team for West Oak Hill planning area with the exception of tracts 4, 5, 6, 7, 12, 12a, and 93A. The public hearing was held open for the contested tracts related to the rezonings and postponed to October 23, 2008.

108. C14-2008-0129 - East Oak Hill Combined Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property bounded by Southwest Parkway to the north, the Barton Creek Greenbelt to the northeast, Convict Hill Road and Loop 1 to the south, and West William Cannon Drive and Beckett Road to the west (4,968.06 acres). The proposed zoning change will create the East Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 70 tracts (555.69 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and rezonings that implement the land use recommendations of the East Oak Hill Neighborhood Plan on 50 tracts of land (415.58 acres), with conditions. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the East Oak Hill Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Maureen Meredith, Neighborhood

Planning & Zoning Department, 974-2695; Minal Bhakta, Neighborhood Planning & Zoning Department, 974-6453 and Gregory Montes, Neighborhood Planning & Zoning Department, 974-2629.

The public hearing was closed and the first reading of the ordinance was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote. The zonings and rezonings of the tracts are as recommended by staff and neighborhood planning contact team for East Oak Hill planning area with the exception of Tracts 208a, 209a, 216 and 220. The public hearing was held open for the contested tracts related to the rezonings and postponed to October 23, 2008.

102. C14-2008-0115 - William Cannon - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4808 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To deny neighborhood commercial-mixed use (LR-MU) combining district zoning. Planning Commission Recommendation: To deny neighborhood commercial-mixed use (LR-MU) combining district zoning. Applicant: Marcus Whitfield & Eskew Place, Ltd. (Gail and Marcus Whitfield). Agent: McClean & Howard, L.L.P. (Jeffrey Howard). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request. This item was postponed to October 23, 2008 at the staff's request on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.
105. C14-2008-0060 - Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Zilker Neighborhood Planning Area, bounded by Lady Bird Lake on the north; the Union Pacific Railroad, West Oltorf Street and South Lamar Boulevard on the east; Barton Skyway on the south; and Robert E. Lee Road, Rabb Road, and Rae Dell Avenue on the west (Bouldin Creek, Town Lake, Barton Creek-Barton Springs Zone Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude certain properties within the boundaries of the Zilker Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. City Staff: Melissa Laursen, Neighborhood Planning and Zoning Department, 974-7226. The public hearing was closed and first reading of the ordinance was approved as follows on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 7-0 vote. Tracts 4, 9, 11-17, 19-20, 22-25, 28-29 and 49 were approved for vertical mixed use building (V) zoning with dimensional standards, parking reduction and additional uses in office districts. Tracts 31A, 37, 41, 43-44, 46, 48 and 50-51 were approved for vertical mixed use building (V) zoning with only dimensional standards and additional uses in office districts. Tracts 1-3, 5-8, 10, 18, 21, 26-27, 30, 31B, 32-36, 38-40, 42, 45, 47 and 52-57 were excluded from the vertical mixed use Overlay District. An affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building was included.

Mayor Wynn recessed the Council Meeting at 5:07 p.m.

LIVE MUSIC

Blues Mafia representing BlastBeat

PROCLAMATIONS

Mayor Wynn called the Council Meeting back to order at 6:06 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

109. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2008-2009 Proposed Budget.
The public hearing was closed on Council Member Martinez' motion, Council Member Shade's second on a 7-0 vote.
110. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2008-2009.
The public hearing was closed on Council Member Shade's motion, Council Member Morrison's second on a 6-0 vote. Council Member Martinez was off the dais.
111. Conduct a public hearing and consider an appeal by Frank Bomar of the Director's denial of a request for variances from right-of-way dedication requirements for an administrative site plan permit (Washington Mutual, SP-2008-1075C) for a financial services building located at 5615 Burnet Road.
The public hearing was closed and the appeal was approved on Council Member Martinez' motion, Mayor Pro Tem McCracken's second on a 7-0 vote.
112. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Solid Waste Services Department as part of the Fiscal Year 2008-2009 Proposed Budget.
The public hearing was closed on Council Member Martinez' motion, Council Member Shade's second on a 7-0 vote.
113. Conduct a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2008-2009 Proposed Budget. No fiscal impact.
The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

Mayor Wynn adjourned the meeting at 7:27 p.m. without objection.

The minutes for the Regular meeting of August 28, 2008 were approved on this the 25th day of September 2008 on Council Member Cole's motion, Council Member Morrison's second on a 7-0 vote.